

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

ANNETTE BUEHLER, an individual,

Plaintiff,

V.

JOHN E. POTTER, Postmaster General, United States Postal Service, a governmental entity,

Defendant.

NO. CV-04-488-RHW

**ORDER GRANTING  
STIPULATED MOTION TO  
DISMISS**

Before the Court is the parties' Stipulated Motion to Dismiss Certain Causes of Action and Transfer Case to the Court of Federal Claims Pursuant to 28 U.S.C. § 1631 (Ct. Rec. 20). The parties have agreed that Plaintiff will voluntarily dismiss the following causes of action: gender discrimination, hostile work environment, retaliation, disability discrimination, and intentional and negligent infliction of emotional distress. Further, the parties agree that the remaining causes of action, all based on a breach of a settlement agreement, should be transferred by this Court to the Court of Federal Claims pursuant to the Tucker Act, 28 U.S.C. § 1491, and to 28 U.S.C. §§ 1346(a)(2) and 1631.

**Accordingly, IT IS HEREBY ORDERED:**

1. The parties Stipulated Motion to Dismiss Certain Causes of Action and Transfer Case to the Court of Federal Claims Pursuant to 28 U.S.C. § 1631 (Ct. Rec. 20) is **GRANTED**.

2. This matter is hereby **TRANSFERRED** pursuant to 28 U.S.C. § 1631 to

**ORDER GRANTING STIPULATED MOTION TO DISMISS \*** 1

1 the Court of Federal Claims.

2 **IT IS SO ORDERED.** The District Court Executive is directed to enter this  
3 Order and forward copies to counsel. The District Court Executive is further  
4 directed to forward this file with a copy of this Order to the Clerk of the United  
5 States Court of Federal Claims and close the file in this district.

6 **DATED** this 30<sup>th</sup> day of March, 2006.

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8 s/ Robert H. Whaley

9 ROBERT H. WHALEY  
10 Chief United States District Judge

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**ORDER GRANTING STIPULATED MOTION TO DISMISS \* 2**